

Appln No. 10/067,572

Amdt date January 7, 2005

Reply to Office action of November 3, 2004

**REMARKS/ARGUMENTS**

Claims 1-24 are pending. Claims 1, 2, 4, 5, 9, and 10 are amended to correct informalities.

Claims 2-5, 7-12, 14-17 and 19-24 would be allowed if re-written in independent form. Claims 1, 6, 13 and 18 are rejected under 35 U.S.C. 103(a) as being obvious over Applicants Admitted Prior Art (AAPA) Publication 2003/0053675; and claims 1, 6, 13 and 18 are rejected under 35 U.S.C. 103(a) as being obvious over Hiroi et al. 6,347,150. Applicants submit that all of the claims currently pending in this application are patentably distinguishable over the cited references, and reconsideration and allowance of this application are respectfully requested.

Independent claims 1, 6, 13 and 18 include, among other limitations, "calculating the difference, including the polarities, between two patterns to be compared," and inspecting "the polarities of the differential image." Neither AAPA, nor Hiroi, teach or suggest the above mentioned limitations.

The cited text of AAPA (i.e., FIG. 3 of the present application and its related text) clearly states that "[t]he operation in this case is an operation to calculate the absolute value of the difference in the gray level image data that does not relate to the polarity, therefore the obtained differential image is also the data that does not relate to the polarity." Page 2, paragraph 0011, last line, underlining added.).

**Appln No. 10/067,572**

**Amdt date January 7, 2005**

**Reply to Office action of November 3, 2004**

Similarly, Hiroi describes a pattern inspecting method for an object that includes several same pattern groups. The object is imaged to obtain two-dimensional digital image signals. the digital image signals are compared with the image signals of the patterns of the plurality of other pattern groups on the object. (See, for example, Summary of the Invention). Applicants are unable to find any teaching or suggestion in Hiroi about "calculating the difference, including the polarities, between two patterns to be compared," and inspecting "the polarities of the differential image," as recited by independent claims 1, 6, 13 and 18.

Several advantages of including the polarities of the two patterns and inspecting the polarities are mentioned in the Background section of the Specification. For example, some advantages of the present invention over the conventional system that do not include the above-mentioned features are mentioned on page 8, lines 30-37. These include accuracy, cost and processing time.

It is respectfully submitted that none of the cited references, alone or in combination, teach or suggest the above-mentioned limitations. Accordingly, independent claims 1, 6, 13 and 18 are patentable over the cited references.

Dependent claims 2-5, 7-12, 14-17, and 19-24 are dependent from allowable independent claims 1, 6, 13 and 18, respectively and therefore include all the limitations of their respective independent claims and additional limitations therein. Accordingly, these claims are also allowable over the cited

Appln No. 10/067,572

Amdt date January 7, 2005

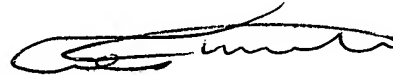
Reply to Office action of November 3, 2004

references, as being dependent from allowable independent claims and for the additional limitations they include therein.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is now in condition for allowance, and accordingly, reconsideration and allowance are respectfully requested.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By



Raymond R. Tabandeh

Reg. No. 43,945

626/795-9900

RRT/clv

CLV PAS601851.1-\* -01/7/05 9:36 AM